



ENVIRONMENTAL PROTECTION AGENCY

[FRL-9442-01-R6]

Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permit for Kinder Morgan Crude & Condensate LLC, Galena Park Terminal, Harris County, Texas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final Order on Petition for objection to Clean Air Act Title V operating permit.

SUMMARY: The Environmental Protection Agency (EPA) Administrator signed an Order dated December 16, 2021, granting in part and denying in part a Petition dated August 29, 2017 from the Environmental Integrity Project, Texas Environmental Justice Advocacy Services, Sierra Club, Environment Texas, Air Alliance Houston, and Patricia Gonzales (the Petitioners). The Petition requested that the EPA object to a Clean Air Act (CAA) title V operating permit issued by the Texas Commission on Environmental Quality (TCEQ) to Kinder Morgan Crude & Condensate LLC (Kinder Morgan) for its Galena Park Terminal located in Harris County, Texas.

ADDRESSES: The EPA requests that you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view copies of the final Order, the Petition, and other supporting information. Out of an abundance of caution for members of the public and our staff, the EPA Region 6 office is currently closed to the public to reduce the risk of transmitting COVID-19. Please call or e-mail the contact listed below if you need alternative access to the final Order and Petition, which are available electronically at: <https://www.epa.gov/title-v-operating-permits/title-v-petition-database>.

FOR FURTHER INFORMATION CONTACT: Aimee Wilson, EPA Region 6 Office, Air Permits Section, (214) 665-7596, wilson.aimee@epa.gov.

SUPPLEMENTARY INFORMATION: The CAA affords EPA a 45-day period to review and object to, as appropriate, operating permits proposed by state permitting authorities under title V of the CAA. Section 505(b)(2) of the CAA authorizes any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of the EPA's 45-day review period if the EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or unless the grounds for the issue arose after this period.

The EPA received the Petition from the Petitioners dated August 29, 2017, requesting that the EPA object to the issuance of operating permit no. O3764, issued by TCEQ to Kinder Morgan for its Galena Park Terminal in Harris County, Texas. The Petition claims the proposed permit failed to assure compliance with applicable requirements in Kinder Morgan's Nonattainment New Source Review permit, failed to assure compliance with emission limits and operating requirements established by Permits by Rule (PBRs), failed to specify how Kinder Morgan should quantify emissions from various units to assure compliance with emission limits in the nonattainment permit, and failure to identify and incorporate certified PBR registrations as applicable requirements.

On December 16, 2021, the EPA Administrator issued an Order granting in part and denying in part the Petition. The Order explains the basis for EPA's decision.

Dated: January 12, 2022.

David Garcia,

Director, Air and Radiation Division, Region 6.

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